

MINUTES
INDIANA BOARD OF VETERINARY MEDICAL EXAMINERS
JULY 29, 2009

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Dr. Welp called the meeting to order at 9:00 a.m. in the Indiana Government Center South, 302 West Washington Street, Room W-064, Indianapolis, Indiana, and declared a quorum in accordance with Indiana Code § 15-5-1.1-6(c).

Board Members Present:

Ralph Welp, D.V.M. – Chairman
Dawn Frank, D.V.M. – Vice Chairman
Richard Headley, D.V.M.
Patricia Kovach, D.V.M.
Robin Waltz, D.V.M.
Bret Marsh, D.V.M., State Veterinarian

Board Members Absent:

Susan Pedigo, R.V.T.
Frank Andrews, Consumer Member

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency
Heather Hollcraft, Case Manager, Professional Licensing Agency
Phillip Thompson, Deputy Attorney General, Office of the Attorney General

II. ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the agenda, as amended.

HEADLEY/FRANK
Motion carried 5-0-0

III. ADOPTION OF THE MINUTES FROM THE MAY 27, 2009 MEETING OF THE BOARD

A motion was made and seconded to adopt the minutes from the May 27, 2009 meeting of the Board.

HEADLEY/FRANK
Motion carried 5-0-0

IV. PRESENTATION

Candace Backer and George Brenner
Veterinarian Well-Being Program

Ms. Backer is a licensed clinical social worker that helps practitioners with chemical abuse issues. She is currently working with other boards to help impaired professionals.

Mr. Brenner is a licensed clinical social worker and marriage counselor. He works in program management, design, and is director of addiction services in a major hospital for the past nineteen (19) years. The Veterinarian Well-Being Program offers three (3) key services to impaired practitioner. The first being intervention where someone contacts them with concern about the practitioner. They would then initiate an internal investigation regarding the concern. Second is the initial screening and assessment of the situation. Third is the recommendation of a course of treatment. The program is sterner with self referrals. Once treatment is finished they ask for a five (5) year agreement that asks for random urinalysis and hair follicle screening, attend Alcoholics Anonymous or similar group meetings and/or counseling as needed. This is an advocacy service in which they speak on behalf of the practitioner to the Boards. They will report any practitioner who fails to comply with the contract as signed.

V. APPEARANCES

A. RENEWAL

There were no renewal appearances.

B. PROBATIONARY

There were no probationary appearances.

C. APPLICATIONS

1. Bridget R. Mason, D.V.M.

Dr. Mason appeared before the Board, as requested, regarding her application for licensure as a veterinarian. Dr. Mason is a 2009 graduate of the Ohio State University and taken and passed the NAVLE examination on November 18, 2008. On her application she answered "yes" to question #5b asking, "Have you ever been convicted of, pled guilty or nolo contendere to any offense, misdemeanor or felony in any state?" She explained that when she was 19 years old she was charged with underage consumption in Findlay, Ohio. She was fined, had to perform thirty-six hours of community service, and completed a substance abuse class at Century Health Services. Dr. Mason indicates she has had no problems since then. She is currently licensed in Kentucky and completing an equine residency that will have her working in Indiana on occasion. She states she could have had the charges taken off her record but has been too busy to appear in court to have this matter removed. Dr. Mason assured the Board that she will not be back because she does not drink and drive and her father is a police officer.

Board Action: A motion was made and seconded to grant Dr. Mason a veterinary license upon taking and passing the law examination.

HEADLEY/KOVACH
Motion carried 5-0-0

2. Chad Everett Spah, D.V.M.

Dr. Spah appeared before the Board, as requested, regarding his application for licensure as a veterinarian. Dr. Spah is a 2008 graduate of Iowa State University and has taken and passed the NAVLE examination on November 27, 2007. Dr. Spah is currently licensed in the state of Arizona. On his application he answered "yes" to question #5b asking, "Have you ever been convicted of, pled guilty or nolo contendere to any offense, misdemeanor or felony in any state?" He explained that in 2004 he was charged with public intoxication in Ames, Iowa. He is seeking licensure in Indiana due to a surgical internship at Indiana Veterinary Services. After his internship he will be applying for a surgical residency at an undecided university. When asked by the Board if the pressures of the job will drive him to drinking he said no, he has family to support him. Dr. Spah assured the Board that he will not be back due to the hard work and dedication to internships and being on call. He does not have time to drink and "socialize".

Board Action: A motion was made and seconded to grant Dr. Spah a veterinary license upon taking and passing the law examination.

FRANK/WALTZ
Motion carried 5-0-0

VI. ADMINISTRATIVE HEARINGS

A. Rachel Clark, D.V.M., License No. 24003461A

Administrative Cause No. 96 VB 007

Re: Order to Show Cause

Parties and Counsel Present:

Respondent was present without representation by Counsel
Mark Mader, Deputy Attorney General for the State of Indiana
Sherry Rutledge, Court Reporter

Board Members Present:

Ralph Welp, D.V.M. – Chairman
Dawn Frank, D.V.M. – Vice Chairman
Richard Headley, D.V.M.
Patricia Kovach, D.V.M.
Robin Waltz, D.V.M.
Bret Marsh, D.V.M., State Veterinarian

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency
Heather Hollcraft, Case Manager, Professional Licensing Agency
Phillip Thompson, Deputy Attorney General, Office of the Attorney General

Case Summary: Dr. Clark verbally voluntarily surrendered her license to the Indiana Board of Veterinary Medical Examiners on May 27, 2009. Dr. Clark has failed to sign the order prepared by the Indiana Office of the Attorney General. The State requested an Order to Show Cause hearing to find out why Dr. Clark has not signed the order. Dr. Clark appeared without counsel. Candace Backer from the Veterinary Well-Being Program stood as witness for Dr. Clark. The State's opening

statement reiterated that Dr. Clark appeared at the last meeting voluntarily agreeing to release her license. Dr. Clark has failed to sign the order. Mr. Mader stated that Dr. Clark had surgery and was put on opiates for pain relief. She did not advise the Board of this nor did she advise her surgeon that she is a known addict. She has not complied with her previous order. Dr. Clark countered she cannot sign the current order due to perjuring herself. She states that it is false and indicates she has not seen a counselor. She says she has been seeing her counselor twice a week. Dr. Clark has recently signed a contract with the Veterinary Well-Being Program. She is also scheduled for surgery on Friday, July 30, 2009 for her shoulder and that she has told her surgeon of her addiction issues. Dr. Clark assured the Board she will not be practicing directly after her surgery simply because her arm will be in a sling and she will not be able to practice. She stated to the Board that she is a college graduate and has kept up on all continuing education requirements. Ms. Backer testified that Dr. Clark contacted Veterinary Well-Being Program in May or June to seek assistance. She met with them and they reviewed her records with the Board. She has started the program Ms. Backer has set up for her. She has had the initial evaluation and three (3) random urine screens that have all come back with negative results. Their current plan is for Dr. Clark to get through her surgery and work with her on the post-op care. Ms. Backer told the Board this surgery must be done with some type of pain medication and they have asked that the medicine be prescribed with a time limited prescription. The program will not do urine screenings during this time due to the prescribed medications. Once she is stable and can drive she will be set up with an outpatient program for her addiction and continue with the counseling. Ms. Smith whom she is counseling with is an addictionologist counselor. Dr. Clark will be required to attend 12-step meetings and group therapy once the intense out patient is done. She has signed the agreement for screening of opiates, Tramadol, and Altram. Mr. Mader asked if her testimony today is for current treatment today and she agreed that it has nothing to do with Dr. Clark's past. Dr. Clark has also signed a release of information to permit Ms. Backer to release information to the Board and the Attorney Generals Office. She stated this is standard procedure as long as it has to do with the respective Board. Ms. Backer explained to the Board that the program will be taking their directive from the surgeon on her post-op care. Mr. Mader pointed out that Dr. Clark is in non-compliance of her probation order. She has never complied with that order so the board deemed it necessary to suspend her license or have her voluntarily rescind her license. In closing Mr. Mader has indicated that the Board has set up the terms to make it so Dr. Clark is safe to practice, but Dr. Clark did not follow the order and in fact told the Board that she was not practicing. She failed to tell her surgeon she was a recovering addict and was afraid if she told her surgeon that he would not do the surgery and provide her with the pain medication she needed. Mr. Mader feels she is not safe to practice. He feels that until she is capable of being a fully practicing veterinarian that her license should just be suspended. Dr. Clark said in closing that she goes to continuing education courses and does everything she can to stay up to date. If she doesn't have a license she cannot use her knowledge at all. She cannot get a job without a license. She says it is hard for her to tell someone she is going to be there if she cannot guarantee her license is going to be good. Dr. Clark feels she is safe to practice and can make good judgment calls, that she would not be impaired to work. She said to the Board that she has not been practicing for thirteen (13) years and that she has a kennel of dogs that she oversees, selling puppies to make money. Mr. Mader stated she is telling the Board she cannot live without her license yet she is currently not using it. Mr. Mader reminded the Board that she is here because she did not sign the voluntary surrender

of rescinding of her license and is not here due to not being in compliance with her previous probation order. Ms. Backer asked that the Board order her to go through the Veterinarian Well-Being Program so they can monitor and address her addiction issues.

Board Action: A motion was made and seconded to indefinitely suspend Dr. Clark's license and ordered her to participate and comply with the Veterinarian Well-Being Program as a condition of reinstatement.

KOVACH/HEADLEY

Motion carried 5-0-0 Dr. Marsh could not vote

B. Carol Ellen Dartz, D.V.M., License No. 24003804A

Administrative Cause No. 99 VB 007

Re: Request to Withdraw Order of Probation

Parties and Counsel Present:

Respondent was present without representation by Counsel
Mark Mader, Deputy Attorney General for the State of Indiana
Sherry Rutledge, Court Reporter

Board Members Present:

Ralph Welp, D.V.M. – Chairman
Dawn Frank, D.V.M. – Vice Chairman
Richard Headley, D.V.M.
Patricia Kovach, D.V.M.
Robin Waltz, D.V.M.
Bret Marsh, D.V.M., State Veterinarian

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency
Heather Hollcraft, Case Manager, Professional Licensing Agency
Phillip Thompson, Deputy Attorney General, Office of the Attorney General

Case Summary: Dr. Dartz's veterinary license was reinstated on indefinite probation with terms and conditions on July 15, 2004. An Order to Show Cause was issued on December 27, 2006 due to Dr. Dartz having a positive screen for alcohol. On April 9, 2007 a Findings of Fact and Order was issued keeping her license on probation with terms and conditions. On April 12, 2007, Dr. Dartz was reported to the AAVSB. Dr. Dartz appeared before the Board today requesting a Withdraw Order of Probation. Dr. Dartz appeared without counsel. The State indicated in there opening statement that as long as she has complied with all terms and condition of the probationary order, the Board should consider the release of probation from her license. Dr. Dartz indicated to the Board that she has complied with all the laws and rules, kept the Board apprised of her information and employment, attended Alcoholics Anonymous meetings at least two (2) times per week since July 2004, submitted reports of said meetings to the Board, complied with all drug screenings and completed an addictionology screening by the addictionologist recommended by the Board. Dr. Darts entered into evidence Exhibit I to the Board without State objection a letter from Ara Yeretsian, M.D. stating Dr. Dartz's follow-up under his care has been impeccable and she has complied with all treatment requirements. The State is satisfied with Dr. Dartz testimony that she has

complied. She has assured the Board she will continue with her relapse group and continue AA meetings. She will also continue seeing her counselor and addictionologist on a regular basis.

Board Action: A motion was made and seconded to grant Dr. Dartz's petition and reinstate Dr. Dartz's veterinary license in full and lift probation from her license.

WALTZ/FRANK

Motion carried 5-0-0 Dr. Marsh could not vote

C. Benton Arihood, D.V.M., License No. 24003071A

Administrative Cause No. 2009 VB 0001

Re: Complaint

Parties and Counsel Present:

Sherry Rutledge, Court Reporter

Board Members Present:

Ralph Welp, D.V.M. – Chairman

Dawn Frank, D.V.M. – Vice Chairman

Richard Headley, D.V.M.

Patricia Kovach, D.V.M.

Robin Waltz, D.V.M.

Bret Marsh, D.V.M., State Veterinarian

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency

Heather Hollcraft, Case Manager, Professional Licensing Agency

Phillip Thompson, Deputy Attorney General, Office of the Attorney General

Dr. Arihood, his counsel and counsel for the State were not present. The State has accepted the oral request for a continuance of the hearing.

Board Action: A motion was made and seconded to accept the oral request for a continuance in the hearing for Dr. Arihood.

FRANK/KOVACH

Motion carried 5-0-0 Dr. Marsh could not vote

VII. SETTLEMENT AGREEMENTS

There were no settlement agreements.

VIII. NOTICE OF PROPOSED DEFAULT

A. Chad I. Kaluza, D.V.M., License No. 24006069A

Administrative Cause No. 2009 VB 0002

Parties and Counsel Present:

Mark Mader, Deputy Attorney General for the State of Indiana

Sherry Rutledge, Court Reporter-

Board Members Present:

Ralph Welp, D.V.M. – Chairman
Dawn Frank, D.V.M. – Vice Chairman
Richard Headley, D.V.M.
Patricia Kovach, D.V.M.
Robin Waltz, D.V.M.
Bret Marsh, D.V.M., State Veterinarian

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency
Heather Hollcraft, Case Manager, Professional Licensing Agency
Phillip Thompson, Deputy Attorney General, Office of the Attorney General

Case Summary: The State indicates that Dr. Kaluza is not responding to the Agency's Notice of Proposed Default that was mailed to three (3) different addresses. The State and Ms. Vaught have spoken with Dr. Kaluza and he always assures each that he will be in attendance of the meeting but is never present.

Board Action: A motion was made and seconded to enter a default.

HEADLEY/FRANK

Motion Carried 5-0-0 Dr. Marsh could not vote

Mr. Mader spoke with Dr. Kaluza and he states he has been adamant about the fact that he has spent two (2) years practicing trying to get this status removed from his license. He did not advise Mr. Mader that he had a cocaine addiction nor did he tell the board about his addiction in 2007. Mr. Mader recapped the evidence against Dr. Kaluza. Due to Dr. Kaluza's current condition, Mr. Mader asks the board to indefinitely suspend Dr. Kaluza's license, order him to enroll into the Veterinary Well-Being Program and seek counseling with an addictionologist as well as other provisions set forth by the Board.

1. On November 28, 2007, Respondent appeared before the Board regarding his request for licensure renewal. Respondent reported at that time of a recent arrest, unprofessional conduct and allegations of possible drug abuse. Respondent had not been convicted of any criminal charges at that time. Respondent also reported that he was currently on mandatory leave of absence from Benfield the Pet Hospital.
2. The Board did not renew or deny his application for renewal. The Board moved his license status to "valid to practice while reviewed" and referred the matter to the Office of the Attorney General for an investigation of this matter.
3. On May 4, 2009, an Administrative Complaint was filed against the veterinary license of the Respondent alleging the Respondent violated the following licensing statutes: Ind. Code § 25-1-9-4(a) (3), Ind. Code § 25-1-9-4(a) (4)(B), and Ind. Code § 25-1-9-4(a) (4)(D).
4. On May 6, 2009, the Indiana Professional Licensing Agency (IPLA) sent a notice to Respondent at his last reported address, informing Respondent of the date, time and place of the disciplinary hearing scheduled for May 27, 2009. Said notice was sent, pursuant to statute, to the Respondent's address listed on his veterinary license. The Respondent failed to personally appear or appear by counsel. As a result of his failure to appear, the State requested and the Board granted a Notice of Proposed Default ("NPD").

5. On June 2, 2009 the Respondent was sent a copy of the NPD issued by the Board. Said notice was sent, pursuant to statute, to the Respondent's address listed on his veterinary license.
6. By the terms of the Notice of Proposed Default, the Respondent had seven (7) days within which to request that the Board set aside the Notice of Proposed Default. The Respondent failed to request that the Board set aside its Notice of Proposed Default within the specified time period.
7. The Board's Order contained in its Notice of Proposed Default contained the following language: *Should a Default Order be entered, the Board may hold further proceedings it deems appropriate to complete this case without the participation of the Respondent.*
8. The Board then conducted further proceedings and determined that the following allegations contained in the Administrative Complaint filed by the State were true:
 - a. Charter Practice, L.L.C. d/b/a Banfield, The Pet Hospital ("Corporate") is a franchisor of veterinarian practices which it calls hospitals. Corporate operates retail pet facilities in conjunction with its hospitals called PetSmart.
 - b. Respondent became a franchise holder of Corporate on March 13, 2004. Respondent's franchise was operated at 1760 Apple Glen Boulevard, Fort Wayne, Indiana 47905 under the name of Banfield, The Pet Hospital, #1009 ("Banfield #1009").
 - c. Corporate's records cover the period from January 1, 2007 until the termination of Respondent's franchise on April 4, 2008.
 - d. Corporate records dated April 15, 2007 expressed a concern by a PetSmart manager over the Respondent's unannounced absence for several weeks from the Hospital and his lack of notification of staff concerning his leaving, his unknown whereabouts, his staff's inability to get in touch with him, and a possible drug problem.
 - e. On May 2, 2007, Respondent's field director expressed a concern about the Respondent's erratic behavior and proposed measures to assist Respondent with his difficulties. He discussed Respondent's reported drug use with him. Respondent acknowledged he knew of the allegations of his drug use.
 - f. On Wednesday, September 12, 2007, Respondent left for lunch without advising employees or others of his leaving, whereabouts or how to contact him and did not return to work until Tuesday, September 19, 2007.
 - g. On September 14, 2007, Corporate acknowledged Respondent's absence and referenced that Respondent's field director was investigating two (2) "ongoing client issues" and that one (1) client issue involved "local Police coming to the store" that day.
 - h. On September 17, 2007, Respondent's field director reported to Corporate that he had spoken with the Respondent that morning and indicated that Respondent told him that he was going through a divorce and was very emotional. The field director reminded Respondent of the employee assistance hotline.
 - i. On Sunday, September 30, 2007, Respondent was taken to the St. Joseph Hospital Emergency Room (ER) by Fort Wayne police officers after being arrested for breaking into a local greenhouse. Respondent reported to ER personnel that he was addicted to IV cocaine usage. A physical examination of the Respondent noted multiple injection sites to both arms and that Respondent admitted using IV drugs on the previous night. ER records also noted that Respondent did appear to be coming down from "his crack cocaine high."
 - j. On October 3, 2007, Corporate learned of Respondent's arrest for breaking into a local greenhouse and his subsequent charges for burglary, criminal mischief and trespass by the Fort Wayne Police Department.
 - k. On October 8, 2007, Respondent met with his field director and other corporate managers to discuss his unpredictable and unprofessional conduct and the operation of the Hospital.
 - l. Corporate told Respondent that he was required to self-report to the Veterinary Board by October 9, 2007. If he failed to self-report, Corporate would report him.

- m. Corporate verbally advised Respondent that pursuant to his franchise agreement, it was taking over the operation of the Hospital for ninety (90) days. Respondent was not permitted on the premises. Corporate advised Respondent that if he failed to cooperate Corporate could terminate his franchise agreement.
- n. On October 9, 2007, Respondent self-reported to the Board by phone, which he followed-up by fax. He stated that he intended to seek a psychiatric evaluation to help him cope during this difficult time. The Board also requested a personal appearance by the Respondent at its scheduled meeting on November 28, 2007.
- o. On October 22, 2007, Corporate issued a formal written notice to Respondent that it was exercising its right to operate the Hospital for a ninety (90) day period. The notice contained the terms and conditions of Corporate's take over.
- p. On November 28, 2007, Respondent appeared before the Board. During his personal appearance, Respondent told the Board about Corporate's ninety (90) day take over. He also stated that he had been psychiatrically evaluated and had been diagnosed with bi-polar disorder. When asked by the Board about possible drug problems, he lied and said that his behavior was the result of bi-polar mania.
- q. Corporate gave Respondent until January 7, 2008, to comply with take-over provisions or risk the termination of his franchise agreement. Corporate made numerous unsuccessful attempts to contact Respondent to update him on their operation of his Hospital through January 10, 2008.
- r. On February 2, 2008, Respondent was seen in the St. Joseph Hospital ER for a head laceration which he ascribed to falling in the bathroom and striking his head on the toilet when getting out of the shower. He denied using any illegal drugs. The ER completed a urine screen which came back positive for cocaine. Discharge instructions called for out-patient follow up for help with his cocaine abuse.
- s. On February 4, 2008, Respondent was notified in writing that he must contact his field director to discuss the status of the operation of his hospital. Respondent received this notice on February 6, 2008 at 9:53 a.m. but did nothing to comply. Respondent failed to make contact with Corporate by the cut-off date.
- t. On April 4, 2008, Corporate notified Respondent that his franchise agreement was terminated, effective immediately.
- u. On April 23, 2008, Respondent contacted his field director to notify him that his criminal court date had been continued to August 5, 2008. He also requested a copy of his franchise agreement, the employee handbook and all related contract documentation. This was Respondent's first contact with Corporate since it exercised its take-over rights in November 2007.
- v. On August 5, 2008, Respondent was acquitted by jury trial of the burglary charge. The jury could not reach verdicts on the two (2) misdemeanor charges.

Board Action: A motion was made and seconded to indefinitely suspend Dr. Kaluza's veterinary license with the terms and conditions set forth by the Board that he enroll and participate in the Veterinary Well-Being Program and show two (2) consecutive years of documented sobriety as conditions precedent to applying for reinstatement.

WALTZ/HEADLEY

Motion carried 4-1-0

Dr. Frank opposed/Dr. Marsh could not vote

IX. DISCUSSION

A. John R. Boyce, D.V.M.

National Board of Veterinary Medical Examiners

Re: NAVLE Retakes

This is a summary of all boards and how many times a candidate may retake the NAVLE examination. The NBVME recommends five (5) times. The Board's limit per statute is three (3) times.

B. Kelly Kirk, D.V.M.

Re: Continuing Education

The Board discussed the practice management course that Dr. Kirk has taken and deems it unacceptable because it is clearly practice management.

B. Douglas J. Gordon President

Superior Equine Pharmaceuticals, Inc.

Re: Compounded Drugs

The Board discussed compounded drugs. They indicated that if the drug is manufactured by an FDA lab then that should be the veterinarian's source for the drug. Malpractice insurance will not cover the veterinarian if it is used as a compounded drug and the FDA lab has it available. The Board states this is more of an informative issue.

X. APPLICATION REVIEW

A. Endorsement

1. William Richard Widmer, D.V.M.

Dr. Widmer is applying for veterinary licensure by endorsement. He allowed his license to expire in 2001 and must reapply by endorsement since the license is expired more than five (5) years. Dr. Widmer is a 1969 graduate of Purdue University. He has taken and passed the National Board Examination and the Indiana State Constructed Examination in 1969. He was licensed in the states of Massachusetts and Virginia. Dr. Widmer has been a faculty member at Purdue University since 1984.. He did not submit continuing education certificates but did submit his curriculum vitae on seminars he has attended.

Board Action: A motion was made and seconded to approve Dr. Widmer's application for licensure up on showing proof of forty (40) hours of continuing education completed within the last two (2) years and successfully passing the Indiana Veterinary Jurisprudence Exam.

KOVACH/FRANK
Motion carried 5-0-0

2. Lisa DeNault-Keehner, D.V.M.

Dr. DeNault-Keehner is applying for veterinary licensure by endorsement. Dr. DeNault-Keehner is a 2000 graduate of Iowa State University and has taken and passed the NBE and CCT in 1999. On her application she failed to mark "yes" to question number 2 asking "Has disciplinary action ever been taken regarding any health license, certificate, registration or permit that you hold or have held?" The

AAVSB and the State of Kentucky both showed disciplinary action on her Kentucky license. A letter of reprimand was issued by the Kentucky Veterinary Board on October 3, 2003 According to the State of Kentucky it was a letter of reprimand for failing to renew her license before it expired in 2003.

Board Action: A motion was made and seconded to grant Dr. DeNault-Keehner a veterinary license upon successfully completing the Indiana Veterinary Jurisprudence Exam.

FRANKS/KOVACH
Motion carried 5-0-0

B. Examination

There were no examination applications for the Board to review.

C. North American Veterinary Licensing Examination (NAVLE)

There were no NAVLE applications for the Board to review

D. Professional Corporation

There were no professional corporation applications for the Board to review

XI. RENEWALS

The initial renewal notifications will be sent via email on August 4, 2009 for licensees that have active email addresses on record. All others will be sent via mail on August 15, 2009. Any emails that come back with a bad address will then be mailed out. This is a new program that is being backed by the Governor's office due to budget cuts.

XII. PROBATIONARY REPORT

There were no probationary reports for the Board to review.

XIII. CONTINUING EDUCATION

A. Cincinnati Animal Referral and Emergency Center

"Routine" ER Care for the DVM

Cincinnati, Ohio

November 10, 2009

Hours Granted: 2

XIV. REPORTS

A. Consumer Complaints

Dr. Waltz advised she has received two (2) consumer complaints but has not reviewed them as of yet.

B. Controlled Substances Advisory Committee- Dr. Kovach

Dr. Kovach reported that the I.N.S.P.E.C.T. program will be collecting prescription data for "Dr. Shoppers". She also reported the possibility of a presentation at the Indiana Veterinary Medical Association meeting in January 2010.

C. State Veterinarian's Report – Dr. Marsh

- Dog Breeder's Bill -- Legislature is working on the dog breeder's bill. The bill goes into effect January 1, 2010. The Department of Health will be able to begin checking kennels to make sure they are following the laws. They have currently been checking facilities to make sure they are going to be in compliance when the law goes into effect.
- Animal Welfare – Proposition 2 in California is in the passing phase. This establishes a farm animal well-being law to take care of farm animals. Michigan is putting caregiver statutes for individual farm animals into their law. BOA hosted a meeting in late June and charged all commodity organizations to go back and decide what it is they are asking for in the State of Indiana. Dr. Marsh feels Indiana is on its way to completing this due to the State of Indiana having there own board currently in the Health Department.
- H1N1 – Three (3) Indiana deaths have been attributed to this virus so far. Dr. Marsh will be attending a meeting in Washington D.C. on July 30, 2009 to see how they can launch a surveillance program in the swine community to see where the Swine Flu is originating from.
- TB – They have identified three (3) TB populations in Indiana. One (1) herd has been destroyed in Franklin County, Indiana and two (2) others are still being tested and dealt with. The Board of Animal Health will be harvesting white tailed deer to see if it is in the wild sector.

XV. OLD/NEW BUSINESS

There was no old or new business discussed by the Board.

XVI. OTHER ITEMS FOR CONSIDERATION

There were no other items on the agenda for consideration.

XVII. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana Board of Veterinary Medical Examiners adjourned at 1:00 p.m.

Ralph Welp, D.V.M., Chairman

Dawn Frank, D.V.M., Vice Chairman

Date

Date

10.28.09